

Monroe County Family Court Project

Basic Information

Population: 120,563

County seat: Bloomington

Judicial officers: Seven judges and one court commissioner

Project Implementation: February 2000

Family Court Judges: Judge Viola Taliaferro and Judge Marc Kellams (2000 to 2004)

Family Court Personnel: The project was implemented with a new, part-time family court coordinator position that was later increased to a full-time position.

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Funding

Family Court Project Funding

\$100,956 (\$50,000 per year for two years through 2001, plus a one-time \$956 distribution)

\$25,000 (\$12,500 per year for two years from 2002 through 2003)

\$7,265 (2004 and 2005)

County government

\$140,700 (total expenditure toward Family Court Coordinator salary: 2001 through 2005)

Family Court Mission Statement

The Monroe County Family Court strives to transcend the traditional adjudicatory function and adversarial process and look beyond the immediate crisis, fashioning remedies and orders designed to minimize future court involvement. The Family Court provides a forum for fair and prompt resolution of legal problems affecting families and children. The ultimate goal of the Court is the resolution of cases within a framework providing due process, protection, and rational, efficient conflict resolution. This goal benefits families and the community.

Family Court Model and Programming

The Monroe County project was initiated in 2000 using different case coordination models in two divisions of the Circuit Court. The Family Court Coordinator administered both models.

Division 7 (which received all juvenile and probate filings by local rule) used a *one family-one judge* model to transfer and bundle the litigation involving the same family

into its court. The family's related criminal cases were often transferred into the family court proceeding. Sometimes, however, the family's criminal cases and other minor civil cases were tracked for information purposes, but not specifically transferred to Division 7 because these cases had progressed too far toward disposition in their court of origin or they were not significantly related to the family's overall stability and safety. Concurrent hearings were frequently held in Division 7 to avoid repeat hearings for multiple case families, and the court used Family Court Rule 4 to take judicial notice of court orders in the family's multiple pending litigation.

Monroe County Division 2 used a direct services case management model to provide necessary intake interviews, service referral, case monitoring, and status hearings in complex custody cases with high-risk families. The Family Court Coordinator conducted informal dispute resolution with parties and submitted case reports as needed.

The project models used in Divisions 7 and 2 were both designed to expedite litigation, coordinate service delivery, monitor high-risk families, and avoid inconsistent court orders.

The Family Court Project collaborated with Clinical Law Professor Amy Applegate at the Indiana University School of Law to create a paternity mediation program to help pro se families resolve custody and visitation issues outside of the courtroom. Professor Applegate and the Family Court Coordinator supervise volunteer law students conducting the mediations, and conduct the more complex mediations themselves as needed. The mediation program also has utilized the pro bono services of local attorneys and members of the Community Conflict Resolution Project of Bloomington. In 2003, the mediation project was expanded to divorce, custody and parenting time disputes. Monroe County has filed and implemented an ADR Plan to increase filing fees to subsidize mediation services to low-income parties.

Families Served in Monroe County

Monroe County was selected for a Family Court Project in February of 2000, and began to identify eligible cases that summer. By January of 2005, Monroe County had accepted 117 families, involving 380 cases, into its Family Court Project. Additional cases involving family members (such as criminal, small claims, and evictions) were tracked for information sharing purposes, but were not transferred or specifically designated as Family Court cases.

In 2005, the Monroe Circuit Court underwent a major reorganization of its caseload allocation. This reorganization had a substantial effect on the Family Court Project. Division 7 no longer receives the entire juvenile caseload: CHINS and Termination of Parental Rights cases are assigned to Division 1. Division 2 no longer receives domestic

relations cases. During the year 2005, the Family Court Project has shifted its focus to providing mediation services to low-income families under the ADR plan. In 2003, mediation services were provided to 49 families. In 2004, forty-two families were served. And in 2005, thus far, 65 families have received mediation services.

The Monroe Circuit Court continues to grow and change: two additional circuit court divisions will be added in 2006 and 2008. The Family Court Project will continue to adapt to meet the changing needs of the court and the citizens that it serves.

MONROE COUNTY FAMILY PRESERVATION PROGRAM

Brier Frasier,
Monroe County Family Preservation Program Coordinator

For many years, the Monroe County Department of Child Services has strained to meet the rising costs of out-of-home placements for children referred by the court. It has been a shared goal of county officials and taxpayers to reduce these placement costs while continuing to provide the necessary services to our local children. Aside from cost, it has long been a common desire of families, service providers, educators and government representatives to keep our children in our community with their families whenever possible.

In 1993, the Monroe Circuit Court Probation Department and the Monroe County Office of Family and Children began an innovative collaboration to achieve these shared aspirations. The Office of Family and Children (recently renamed Department of Child Services) entered into a contract with the Probation Department to institute a Family Preservation Program, to be operated through the Juvenile Division of the Probation Department. Juveniles who have pending or adjudicated delinquency charges who the judge refers to the program are eligible for family preservation services. The judge makes the determination of program eligibility and refers eligible juveniles to the Probation Department for a family assessment, typically as part of a Preliminary Inquiry. Participation in the Family Preservation Program is ordered by the court as part of the disposition in the juvenile delinquency case. The Family Preservation Officer provides home-based services to the family and assumes the supervision of the child's terms of probation.

The Family Preservation Program serves families of juveniles who are at imminent risk for out-of-home placement. This population includes: 1) juveniles who are court-ordered into out-of-home placement; 2) juveniles who are returning home from placement; and 3) juveniles who are placed in the program to avoid placement. Family Preservation Officers have limited caseload sizes (maximum of 12 children). The Officers provide intensive home-based services which are determined by the family's needs. These services routinely include: parenting skills instruction; anger management; substance abuse and mental health assessment and referral to treatment; financial management; and safety planning. In addition to providing services to the juvenile (delinquent), early intervention and prevention services are also targeted toward younger siblings who may otherwise also be at risk for placement in the future. Additionally, when placement is needed for specialized treatment, the Family Preservation Program provides transitional services to the family to help prepare for a successful reunification with the child, often shortening the length of the placement. In such cases, the child's treatment progress is reinforced by a family environment which has changed in ways that correspond with the changes made by the child.

The original 1993 contract funded one Family Preservation Officer. The Family Preservation Program has proved so successful in terms of saving taxpayers' money as well as providing a successful alternative to out-of-home placement that the contract has expanded in scope. The Probation Department now has four Family Preservation Probation Officers.

The Monroe Circuit Court Probation Department is proud to be part of such innovative programming. The local community values the efforts as well. A few highlights of the program:

- During 2004, Monroe County spent approximately \$180,000 to fund the Family Preservation Program while the program provided a potential net savings in per diem costs of \$1,045,000 to the taxpayers of Monroe County.
- The Family Preservation Program completed its 12th year of operation in 2005. In these 12 years of operation, it is estimated that the County has realized a net savings in placement per diem costs of over \$7 million.

And this is just the part about the money. The success of the program does not begin and end with money. The positive effect the program has had on troubled youth and their families over the years cannot be measured in terms of dollars and cents. For the future, the program will continue to expand. In 2005, the Monroe Circuit Court judges began to utilize the Family Preservation Program to provide services to children who are not involved in delinquency court, rather who are identified as being at imminent risk for placement under other types of cases such as divorce, CHINS and paternity.

You can read more about the program on our web site, <http://www.co.monroe.in.us/probation> .